

IN THE UNITED STATES DISTRICT  
COURT FOR THE WESTERN DISTRICT OF  
VIRGINIA  
Harrisonburg Division

CONSUMER FINANCIAL PROTECTION  
BUREAU, et al.,

Plaintiffs,

v.

NEXUS SERVICES, INC., LIBRE BY  
NEXUS, INC., MICHEAL DONOVAN,  
RICHARD MOORE, and EVAN AJIN,

Defendants.

Case No.: 5:21-cv-00016-EKD-JCH

**DEFENDANTS' INITIAL WITNESS AND EXHIBIT LISTS**

In accordance with the Court's June 13, 2023 Scheduling Order (ECF 211), Defendants designate the following witnesses and exhibits for trial:

**I. WITNESSES**

The Defendant expects to present, or may present, the following witnesses at trial

- |  |                |
|--|----------------|
| 1. Stan V. Smith, Ph.D.<br>1165 N Clark Street<br>Suite 600<br>Chicago, IL 60610<br>312-943-1551 | Expert Witness |
|--|----------------|

Expected Testimony: Dr. Stan V. Smith Ph.D. will testify to his experience and credibility as an expert witness, the soundness of his analyses, and his ability to communicate complex economic issues clearly and understandably. Dr. Smith is expected to further testify to his past analyses of damages in the wake of the 9/11 tragedy, and his

methodologies which have been adopted by legislators and State Supreme courts in tort law in various states.

Dr. Smith will provide expert analysis and opinion related to the fees paid by Libre program participants and their value. Dr. Smith's testimony will relate to appropriate damages in this case based on his analyses.

2. Kate Lattner Expert Witness  
One South Wacker Drive  
38<sup>th</sup> Floor  
Chicago, IL 60606  
312-893-4630  
[klattner@stout.com](mailto:klattner@stout.com)

Expected Testimony: Ms. Lattner<sup>1</sup> is expected to testify to her substantial experience on cases involving complex accounting matters, accounting reconstruction, damages and lost profits calculations, financial reporting fraud, and intricate asset tracing analyses. Ms. Lattner is expected to testify regarding her own expert opinion and about Libre's accounting processes and expenditures on behalf of its clients. Ms. Lattner's testimony will relate to appropriate damages in this case based on her analyses.

3. Evan Ajin Fact Witness  
8 Gables East BLVD  
APT 204  
Fishersville, VA 22939  
540-908-9406  
[eajin@nexushelps.com](mailto:eajin@nexushelps.com)

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<sup>1</sup> Due to a conflict another managing partner of Stout was unable to act as a witness. This was learned only today after the participation of Dr. Smith was noted. While Defendants do expect to have Ms. Lattner testify, at this moment an agreement with Stout retaining Ms. Lattner's services has yet to be signed.

Expected Testimony: Mr. Ajin is an equity owner and Vice President of Operations of Nexus Services Inc. Mr. Ajin will testify to his work with Defendant Nexus; the work Nexus does for its program participants and the community; and the value of services provided as it relates to appropriate damages in this case.

4. Marvin Antonio Hernandez-Ramirez      Fact Witness  
3103 9<sup>th</sup> Ave W  
Lot 17  
Brandenton, FL 34205  
941-465-5396

Expected Testimony: Mr. Hernandez-Ramirez is a program participant of Libre by Nexus. Mr. Hernandez-Ramirez will testify about his experiences as a program participant, the value of the services provided, and his experiences. Mr. Hernandez-Ramirez's testimony will relate to appropriate damages in this case.

Mr. Hernandez-Ramirez's native language is Spanish, and he will require a translator for trial.

5. Wilmer Yeremy Coc Asig      Fact Witness  
14 South Windsong Court  
Fishersville, VA 22939  
540-447-9242

Expected Testimony: Mr. Coc Asig is the son of a program participant of Libre by Nexus. He is also a client of Libre's family separation program, a pro bono advocacy program operated by the Defendants

that successfully helped reunite dozens of immigrant children and their families after the brutal effects of family separations.

Mr. Coc Asig's testimony will relate to the value of services provided and appropriate damages in this case. Mr. Coc Asig's native language is Spanish, and he may require a translator for trial.

6. Otilia Asig Putul Fact Witness  
14S Windsong Court  
Fishersville, VA 22939  
540-609-4119  
oasig@nexushelps.com

Ms. Asig Putul is a program participant and employee of Libre by Nexus. Ms. Asig Putul was separated from her son entering the United States. Ms. Asig Putul will testify about her detention in Arizona and conditions during the family separation crisis.

Ms. Asig Putul's testimony will relate to the value of services provided and appropriate damages in this case. Ms. Asig Putul's native language is Spanish, and she will require a translator for trial.

7. Jordan Saul Escobedo Diaz                      Fact Witness  
978 Roberts Ct  
Harrisonburg, VA 22802

Expected Testimony: Mr. Escobedo Diaz is a former Nexus employee who led the company's training and employee development program. As a corporate trainer, Mr. Escobedo Diaz was responsible for training employees of the Defendants and his testimony will relate to facts

about the training and development of employees that will relate to damages in this case.

8. Efrain Medina Fact Witness  
765 Fremont Blvd  
West Sacramento CA 95605  
916-879-3845  
[1efrainmedina79@gmail.com](mailto:1efrainmedina79@gmail.com)

Mr. Medina is a program participant and former employee of Libre by Nexus. Mr. Medina successfully completed his immigration case and decided to work for Nexus helping other immigrants in need, who would otherwise be subject to deportation.

Mr. Medina's testimony will relate to the value of services provided and appropriate damages in this case.

9. Penny Riker Fact Witness  
2001 Powell Creek Court  
Charlottesville, VA 22911  
540-255-5896  
[p.l.riker@gamil.com](mailto:p.l.riker@gamil.com)

Ms. Riker is a recipient of pro bono legal services from Nexus Services. Ms. Riker's license was suspended and later revoked by Plaintiff Commonwealth of Virginia, and she was eventually charged and convicted of a felony for operating a motor vehicle. After serving time in a state prison for driving a vehicle without an operator's license, her license was revoked. Nexus' pro bono legal program helped her restore her privilege to operate a motor vehicle.

Ms. Riker's testimony will relate to the value of services provided and appropriate damages in this case.

10. Delmis Marlen Dubon Mendez                      Fact Witness  
1007 east Mohawk ave  
Apartment A  
Tampa Fl 33604  
941-536-1071  
[delmismdubon@gmail.com](mailto:delmismdubon@gmail.com)

Ms. Dubon Mendez is a recipient of pro bono legal services sponsored by Libre by Nexus. Ms. Dubon Mendez was separated at the US Mexico border from her US citizen son. Ms. Dubon Mendez will testify about the assistance she received.

Ms. Dubon Mendez's testimony will relate to the value of services provided and appropriate damages in this case. Ms. Dubon Mendez's native language is Spanish, and she will require a translator for trial.

11. Inez Moza Moreno                                      Fact Witness  
4524 Commons Dr  
Annandale, VA 22003  
571-457-0706

Ms. Moza Moreno is the mother of a Libre by Nexus program participant. Ms. Moza Moreno will testify about her son's experiences as a Nexus program participant and the assistance provided by the Defendants to her and her family.

Ms. Moza Moreno's testimony will relate to the value of services provided and appropriate damages in this case. Ms. Moza Moreno's native language is Spanish, and she will require a translator for trial.

12. Lilliana Cruz Martinez  
15520 Parthenia Street  
North Hills, CA 91343  
818-471-2630

Expected Testimony: Ms. Cruz Martinez is a former Libre employee and the wife of a Libre program participant. Ms. Cruz Martinez will testify about her husband's immigration bond, and how the Defendants' actions supported her family and protected her family's rights.

Ms. Cruz Martinez's testimony will relate to the value of services provided and appropriate damages in this case.

13. Jose Angel Mendoza-Chavarria                      Fact Witness  
15520 Parthenia Street  
North Hills, CA 91343  
818-471-2630

Expected Testimony: Mr. Mendoza-Chavarria is a Libre by Nexus program participant. Mr. Mendoza-Chavarria was arrested by federal authorities for immigration violations. Mr. Mendoza-Chavarria will testify that he was detained for nearly three years because of his inability to pay for a bond to secure release from immigration detention. He will testify about the help and support he received from Libre, He will also testify about his experience meeting and providing support for other Libre participants.

Mr. Mendoza-Chavarria's testimony will relate to the value of services provided and appropriate damages in this case. Mr. Mendoza-

Chavarria's native language is Spanish, and he will require a translator for trial.

14. Edinelson Antonio Cuatete-Hernandez Fact Witness  
648 N Hobart Blvd  
Apartment 30  
Los Angeles, CA 90004  
323-334-5898

Expected Testimony: Mr. Cuatete-Hernandez is a Libre by Nexus program participant. Mr. Cuatete-Hernandez spent years in immigration jail, unable to pay for a bond to secure release from immigration detention. Mr. Cuatete-Hernandez received charitable assistance from Defendants and will testify to the treatment of Libre's clients by the company.

Mr. Cuatete-Hernandez's testimony will relate to the value of services provided and appropriate damages in this case.

Mr. Cuatete-Hernandez's native language is Spanish, and he may require a translator for trial.

## **II. Exhibits**

The Defendants expect to offer or may offer if the need arises the exhibits and/or documents listed below:

1. Expert Report generated by Stan Smith, Ph.D..
2. Expert Report generated by Kate Lattner.
3. I352 Immigration Bond Document for Marvin Antonio Hernandez-Ramirez.



4. Photos of injuries sustained by Wilmer Yeremy Coc Asig while he was detained in the facility where immigrant children that had been separated from their mothers had been concentrated.
5. Nexus Services/Libre by Nexus Standard Operating Procedures taught by Jordan Saul Escobedo Diaz.
6. Nexus Services/Libre by Nexus training guide used by Jordan Saul Escobedo Diaz.
7. Medical documentation related to the heart condition of the minor son of Delmis Marlen Dubon Mendez.
8. Court records of conviction and sentence of Penny Riker
9. Court records of Court order regarding the reinstatement of driving privileges of Penny Riker.
10. Birth Certificate of the minor son of Delmis Marlen Dubon Mendez.
11. I352 Immigration Bond Document for Delmis Marlen Dubon Mendez.
12. I352 Immigration Bond Document for Otilia Asig Putul.
13. 14. I352 Immigration Bond Document for Jose Angel Mendoza-Chavarria.
14. I352 Immigration Bond Document for Juan Carlos Moza Moreno.
15. I352 Immigration Bond Document for Jose Cruz
16. I352 Immigration Bond Document for Edinelson Antonio Cuatete-Hernandez
17. I352 Immigration Bond Document for Jose Angel Mendoza-Chavarria

Dated: June 26, 2023

Cold Brook, NY

Respectfully submitted,

/s/Zachary Lawrence  
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zach@zlawpllc.com  
*Pro hac vice* (NY Bar No.: 5798202)  
*Attorney for Defendants*